

Filed for intro on 03/02/98  
SENATE BILL 3376 By  
Leatherwood

HOUSE BILL 3379  
By Fitzhugh

AN ACT to amend Chapter 223 of the Acts of 1901; as amended by Chapter 122 of the Private Acts of 1921; Chapter 671 of the Private Acts of 1921; Chapter 974 of the Private Acts of 1921; Chapter 41 of the Private Acts of 1959; Chapter 264 of the Private Acts of 1963 and Chapter 201 of the Private Acts of 1996; and any other acts amendatory thereto, relative to the Charter of the City of Ripley.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 223 of the Acts of 1901, as amended by Chapters 122, 671, and 974 of the Private Acts of 1921, Chapter 41 of the Private Acts of 1959, Chapter 264 of the Private Acts of 1963, and Chapter 201 of the Private Acts of 1996, and any other acts amendatory thereto, is amended as follows:

(a) by deleting Section 11 in its entirety and substituting instead the following:

SECTION 11. Be it further enacted, That there is hereby created the office of City Court Clerk. The City Court Clerk shall be elected by the Board of Mayor and Aldermen with recommendation made by the City Judge. The City Court Clerk may hire such assistant(s) as the Board may approve and fund.

Be it further enacted, that the Board of Mayor and Aldermen shall fix the compensation of the City Court Clerk and the assistants thereto and by ordinance may prescribe additional duties to such Clerk or the assistants thereto and regulate the performance thereof.

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Be it further enacted, that the Clerk shall have the duty to keep all of the records of the Court and shall keep a docket in which shall be entered the disposition of all cases heard by the Court. All fees and other emoluments which accrue because of services rendered by the Clerk shall be the property of and shall be paid to the City of Ripley.

Be it further enacted, that it shall be the duty of the Clerk to collect all fines imposed by the City Court and all costs which accrued, and pay the same to the City of Ripley.

Be it further enacted, that the Clerk shall have authority concurrent with the City Judge to issue warrants and other process, except those which the law requires to be issued by a judicial officer. The Clerk shall serve the City Court in all respects under the direction of the City Judge.

(b) By deleting Section 20. in its entirety and substituting instead the following:

SECTION 20. Be it further enacted, That property subject to taxation shall be assessed and listed for taxation in the name of the owner, or reputed owner, alphabetically for the entire city, and if real estate, giving the number of the lot, or some description that will be sufficient to identify it. In estimating the value of the property, the assessor shall be guided by the assessment laws of the State of Tennessee. Merchants and privileges shall be taxed, and taxes on same collected as may be provided by corporate ordinances. The assessments books shall be made out and completed by the first day of October of the year for which the assessment was made, and delivered by said time to the City Recorder, who shall proceed at once to make out the tax books and shall collect the said taxes on such due dates as prescribed by ordinance. The date on which taxes shall become delinquent and the subject penalty and interest therefor, shall additionally be prescribed by ordinance, provided, however, that the Board of

Mayor and Aldermen may elect to extend the delinquency date for a subject year as they, in their discretion, deem appropriate.

Be it further enacted, that the City Recorder shall enforce the collection of delinquent taxes as provided by the statutes of the State of Tennessee, and as directed by the Board. If the Recorder fails to collect taxes as the Board may prescribe, or fails to promptly enforce the collection of said taxes, some other officer of the City or person shall be appointed by the Board to discharge said duties.

Be it further enacted, that the Board of Mayor and Aldermen are authorized and empowered to employ counsel and to file a bill in the Chancery Court of Lauderdale County to enforce the lien of said taxes on the property of the respective owners by a sale of the said property for the payment of such delinquent taxes and costs of collection, pursuant to the statutes of the State of Tennessee; and in said suit any or all of such delinquents may be joined in one bill and the lien enforced in said suit upon each owner's property separately for the collection of taxes and costs, and such joining of any or all of said parties in one suit shall not make the suit multifarious nor be any defense to the maintenance of said suit for the collection of such delinquent taxes.

SECTION 2. This Act shall have no effect unless it is approved by a two-thirds (2/3) vote of the governing body of the City of Ripley. Its approval or nonapproval shall be proclaimed by the presiding officer of the City of Ripley and certified to the Secretary of State.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 2.